IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7059 OF 2005

Mrs. Sushila Kundalik Mali ... Petitioner

Versus

Kalyan Dombivali Municipal Corporation and 3 Ors. ... Respondents

Mr. Ajay A. Gadkari for Petitioner.

Mr. A.S. Rao for Respondent Nos. 1 and 2.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD, JJ.
DATED : OCTOBER 14, 2005

P.C.

. Rule. Heard forthwith.

. Heard learned Counsel for the parties.

. We have considered the judgment of a Division Bench of this Court in Farook Ali Khan s/o. Iiads Khan Vs. Maharashtra State Election Commission, 1998 (1) ALL MR 9. We have also considered the judgement of the Apex Court in N.P. Ponnuswami Vs. The Returning Officer, Namakkal Constituency,

Namakkal, Salem District, AIR 1952 SC 64, so also the judgment of the Apex Court in Manda Jagannath Vs. K.S. Rathanam (2004) 7 S.C.C. 492 and the judgment of the Apex Court in the case of Jaspal Singh Arora Vs. State of M.P. (1998) 9 S.C.C. 594.

. Considering the ratio of the said judgments, this is not a fit case where this Court should exercise its extraordinary jurisdiction. Parties have remedy by way of Election Petition. In the light of that, Rule discharged.

(F.I. REBELLO,J.)

(DR.D.Y.CHANDRACHUD,J.)